

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

**LG.PHILIPS LCD CO., LTD.,**

**Plaintiff,**

v.

**CHI MEI OPTOELECTRONICS  
CORPORATION; AU OPTRONICS  
CORPORATION; AU OPTRONICS  
CORPORATION AMERICA; TATUNG  
COMPANY; TATUNG COMPANY OF  
AMERICA, INC.; VIEWSONIC  
CORPORATION; AND CHI MEI  
OPTOELECTRONICS USA, INC.,**

**Defendants.**

**AU OPTRONICS CORPORATION,**

**Counterclaim Plaintiff,**

v.

**LG.PHILIPS LCD CO., LTD., AND  
LG.PHILIPS LCD AMERICA, INC.,**

**Counterclaim Defendants.**

**Civil Action No. 1:06-cv-00726-JJF**

**JURY TRIAL DEMANDED**

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**LG.PHILIPS LCD CO., LTD.'S ANSWER IN RESPONSE TO AU OPTRONICS  
CORPORATION'S COUNTERCLAIM AGAINST PLAINTIFF LG.PHILIPS LCD  
CO., LTD. AND ADDITIONAL PARTY LG.PHILIPS LCD AMERICA, INC.**

Defendant LG.Philips LCD Co., Ltd. ("LPL"), by and through their undersigned counsel, hereby files its Answer in Response to the Counterclaims of AU Optronics Corporation ("AUO"), in the above titled action. A jury trial is demanded for all claims so triable.

**RESPONSE TO THE COUNTERCLAIM PARTIES**

1. LPL admits the allegations of paragraph 1 of the Counterclaims.
2. LPL admits the allegations of paragraph 2 of the Counterclaims.
3. LPL admits the allegations of paragraph 3 of the Counterclaims.
4. LPL denies the allegations of paragraph 4 of the Counterclaims.

**RESPONSE TO JURISDICTION AND VENUE**

5. LPL admits the allegations of paragraph 5 of the Counterclaims.
6. LPL admits the allegations of paragraph 6 of the Counterclaims.
7. LPL admits the allegations of paragraph 7 of the Counterclaims.
8. LPL admits the allegations of paragraph 8 of the Counterclaims.
9. LPL admits that venue is proper and admits that LPLA sells LCD modules designed and manufactured by LPL. LPL denies the remaining allegations of paragraph 9 of the Counterclaims.

**RESPONSE TO COUNTERCLAIM COUNT ONE**

10. LPL admits that Exhibit A to the Counterclaims purports to be a copy of United States Patent No. 6,976,781, entitled “Frame and Bezel Structure for Backlight Unit” (the “781 patent”), but LPL lacks knowledge or information sufficient to admit or deny the remaining allegations of paragraph 10 of the Complaint, and therefore denies them.

11. LPL denies the allegations in paragraph 11 of the Complaint.
12. LPL denies the allegations in paragraph 12 of the Complaint.
13. LPL denies the allegations in paragraph 13 of the Complaint.

**RESPONSE TO COUNTERCLAIM COUNT TWO**

14. LPL admits that Exhibit B to the Counterclaims purports to be a copy of United States Patent No. 6,778,160, entitled "Liquid-Crystal Display, Liquid-Crystal Control Circuit, Flicker Inhibition Method, And Liquid-Crystal Driving Method" (the "60 patent"), but LPL lacks knowledge or information sufficient to admit or deny the remaining allegations of paragraph 14 of the Complaint, and therefore denies them.

15. LPL denies the allegations in paragraph 15 of the Complaint.

16. LPL denies the allegations in paragraph 16 of the Complaint.

17. LPL denies the allegations in paragraph 17 of the Complaint.

**RESPONSE TO COUNTERCLAIM COUNT THREE**

18. LPL admits that Exhibit C to the Counterclaims purports to be a copy of United States Patent No. 6,689,629, entitled "Array Substrate for Display, Method of Manufacturing Array Substrate for Display and Display Device Using the Array Substrate" (the "629 patent"), but LPL lacks knowledge or information sufficient to admit or deny the remaining allegations of paragraph 18 of the Complaint, and therefore denies them.

19. LPL denies the allegations in paragraph 19 of the Complaint.

20. LPL denies the allegations in paragraph 20 of the Complaint.

21. LPL denies the allegations in paragraph 21 of the Complaint.

**RESPONSE TO EXCEPTIONAL CASE**

22. LPL denies the allegations in paragraph 22 of the Complaint.

**RESPONSE TO PRAYER FOR RELIEF**

As to paragraphs A through K of the Prayer For Relief, LPL denies that AUO is entitled to the requested relief.

**AFFIRMATIVE DEFENSES**

Without conceding that any of the following necessarily must be pleaded as an affirmative defense, or that any of the following are not already at issue by virtue of the foregoing denials, and without prejudice to LPL's right to plead additional defenses as discovery into the facts of the matter warrants, LPL hereby asserts the following affirmative defenses:

**FIRST AFFIRMATIVE DEFENSE**

23. AUO has failed to state a claim for which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

24. LPL's products and processes have not and do not infringe any claim of the Asserted AUO Patents, either literally or under the doctrine of equivalents.

**THIRD AFFIRMATIVE DEFENSE**

25. LPL has not directly or indirectly contributed to infringement of, nor induced another to infringe the Asserted AUO Patents.

**FOURTH AFFIRMATIVE DEFENSE**

26. One or more claims of the Asserted AUO Patents are invalid for failing to meet one or more of the requisite conditions or requirements for patentability specified by 35 U.S.C. §§ 101, 102, 103, and/or 112.

**FIFTH AFFIRMATIVE DEFENSE**

27. Pursuant to 35 U.S.C. § 287(b), LPL is not liable for damages for infringement under any section of 35 U.S.C. § 271 before receiving notice of AUO's allegations of infringement in this action.

**SIXTH AFFIRMATIVE DEFENSE**

28. AUO's claims are barred, in whole or in part, because of the affirmative defense of license.

June 25, 2007

THE BAYARD FIRM

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**CERTIFICATE OF SERVICE**

The undersigned counsel certifies that, on June 25, 2007, she served the foregoing documents by email and by hand upon the following counsel:

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